

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	Chapter 11
In re	:	
	:	Case No. 05-44481 (RDD)
DELPHI CORPORATION, <u>et al.</u> ,	:	
	:	(Jointly Administered)
Debtors.	:	
-----X	:	

RESPONSE OF CLAIMANT, MAD RIVER TRANSPORTATION INC. TO NOTICE OF
OBJECTION TO CLAIM AS SET FORTH IN DEBTOR'S THIRD OMNIBUS
OBJECTION

Claimant:	Mad River Transportation Inc.
Claim No.:	11045
Date Claim filed:	July 26, 2006
Asserted Claim Amount:	\$5,000,000.00
Basis for Debtor's Objection:	Unsubstantiated Claim
Debtors' Proposed Treatment of Claim:	Disallow and Expunge.

I. Claimant's Statement As To Why Claim Should Not Be Disallowed

Mad River Transportation Inc. ("Mad River") is a trucking company located in Dayton, Ohio. In the mid 1980's, the company hauled waste generated by Delco's facilities in Kettering and Dayton, Ohio. Mad River delivered the Delco waste to some part of the Tremont Landfill. Mad River has documentation showing the date, ticket number, and cubic yards brought to the landfill.

The EPA has not contacted Mad River, although Mad River documentation was provided to the EPA as part of a filing made by Peerless Transportation Company. It is unknown whether the wastes Delco provided to Mad River were hazardous. Mad River, therefore, has considerable financial exposure for the waste Delco provided to Mad River for transport to the Tremont Landfill. The EPA has summoned company representatives to a meeting regarding these issues scheduled for January 17, 2007.

II. Identification Of Documentation Or Other Evidence Upon Which Claimant Will Rely

- a. Several US EPA notices naming Claimant as a Potentially Responsible Party
- b. Voluminous waste tickets evidencing the waste transported by Claimant from Delco to the landfill.

All documents will be made available for inspection at a time convenient to the parties.

III. Amount Claimant Believes Would Be The Allowable Amount Of Such Claim

\$5,000,000.00

IV. Address To Which Debtors Must Deliver Any Reply To This Response

Christopher J. Aluotto, Esq.
Robert F. Brown, Esq.
Rendigs, Fry, Kiely & Dennis, LLP
One West Fourth Street, Suite 900
Cincinnati, Ohio 45202-3688

V. Person Possessing Ultimate Authority To Reconcile, Settle Or Otherwise Resolve

Christopher J. Aluotto, Esq.
Robert F. Brown, Esq.
Rendigs, Fry, Kiely & Dennis, LLP
One West Fourth Street, Suite 900
Cincinnati, Ohio 45202-3688

Cathy McCoy
Chris Bridges
Mad River Transportation, Inc.
One Specialty Place
P O Box 1296
Dayton, OH 45401

Respectfully submitted,



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rbrown@rendigs.com
Attorney for Peerless Transportation Co.
and Mad River Transportation, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2006, I filed a hard-copy and disk of the Response of Claimant Mad River Transportation Inc. with the clerk via Federal Express mail.

Delphi Corporation
5725 Delphi Drive
Troy, Michigan 48098
Attn.: General Counsel

Skadden, Arps, Slate, Meagher & Flom, LLP
333 West Wacker Drive, Suite 2100
Chicago, IL 60606
Attn.: John William Butler, Jr., Esq.

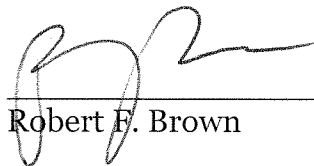
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33 Whitehall Street, Suite 2100
New York, NY 10004
Attn.: Alicia M. Leonhard



Robert F. Brown